

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:10-cr-00048-MR-WCM**

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )  
                                )  
vs.                         )                                   **O R D E R**  
                               )  
DEVAN MICHAEL,            )  
                               )  
Defendant.                )  
                               )

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**THIS MATTER** is before the Court on the Defendant's letter, which the Court construes as a motion for copies of court documents [Doc. 45].

In his motion, the Defendant requests that the Court provide him copies of his Presentence Report, the Judgment, and the Statement of Reasons related to his 2011 conviction.<sup>1</sup> [Doc. 45].

Court documents, such as the ones requested by the Defendant here, may be obtained from the Court "only in the exercise of that court's discretion based upon a showing of need." United States v. Williams, No. 88-7340, 1989 WL 152422, at \*1 (4th Cir. Dec. 11, 1989); United States v. Velasquez,

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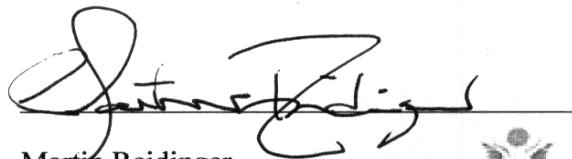
<sup>1</sup> The Defendant also requested a copy of the docket sheet. Upon the filing of the motion, the Clerk's Office provided a copy of the docket sheet to the Defendant, so that particular request is now moot.

No. 5:10-CR-00042, 2012 WL 3307264, at 1 (W.D.N.C. Aug. 13, 2012) (Voorhees, J.) (holding that a copy of presentence report may be obtained from the district court only upon a showing of particularized need). Here, there are no matters currently pending. The Defendant has exhausted his direct and post-conviction appeals. As such, the Defendant has failed to demonstrate a particularized need for the requested pleadings. Accordingly, in the exercise of its discretion, the Court will deny the Defendant's motion.

**IT IS, THEREFORE, ORDERED** that the Defendant's letter, which the Court construes as a motion for copies of court documents [Doc. 45], is hereby **DENIED**.

**IT IS SO ORDERED.**

Signed: April 8, 2019



Martin Reidinger  
United States District Judge

